



Department
of Health &
Social Care

Clara Swinson,
Director General Global Health,
Department of Health and Social Care,
United Kingdom

Muiris O'Connor,
Assistant Secretary,
R&D and Health Analytics,
Department of Health,
Ireland

26 November 2021

**Exchange of Letters pursuant to paragraph 9.2 of the Common Travel Area
Healthcare MoU**

Dear Muiris,

I received your letter of 25 November 2021 on the Memorandum of Understanding between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland concerning Common Travel Area Healthcare Arrangements (in recognition of Residency-based Health Systems) ("the CTA Healthcare MoU") signed on 18 December 2020. I agree on the need to review the provisions of that MoU in the context of the provisional application from 31 December 2020 of the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part ("the TCA"), as set out in paragraph 9.2 of the CTA Healthcare MoU.

I am able to confirm that after reviewing the provisions of the CTA Healthcare MoU and the relevant reciprocal healthcare provisions of the TCA and after the engaging and clarificatory discussions between Ireland and UK officials, the CTA Healthcare MoU continues to be fully appropriate and that no amendments to it are required. However, I agree it is necessary to confirm that, save as otherwise stated below, the provisions of the TCA take precedence over the CTA Healthcare MoU.

Following our useful discussions, it is our understanding that:

- i) the eligibility documentation set out in Annex A of the CTA Healthcare MoU is recognised in addition to the entitlement documents prescribed in APPENDIX SSCI-2 of the TCA for the purposes of evidencing eligibility for necessary healthcare in the UK or Ireland as a visitor and evidencing eligibility for comprehensive healthcare in the UK or Ireland as a cross-border/frontier worker;
- ii) the eligibility documentation from an eligible individual over 18 years of age is recognised in place of the documentation of an eligible individual

- under 18 years of age, in cases where the latter is a dependant of the former and is seeking necessary healthcare as outlined in subparagraph 3.3 of the CTA Healthcare MoU;
- iii) the eligibility documentation set out in Annex A may not be sufficient for reimbursement of an immigration health fee under the terms of the TCA, although such documents remain valid when an individual who has received reimbursement seeks to evidence their entitlement to healthcare. Where this requirement could cause short-term issues due to historic arrangements in place between the UK and Ireland with respect to S1 documentation, it is intended that the UK and Ireland work together to identify alternative documentation requirements on a temporary basis;
 - iv) cross-border ambulance cooperation agreements as set out in paragraph 3.2.b.ii of the CTA Healthcare MoU will continue to be respected;
 - v) cross-border/frontier workers resident in the UK are able to apply for means-tested access to be a full eligibility patient under the Irish health system as set out in paragraph 5.2 of the CTA Healthcare MoU; and
 - vi) cross-border/frontier workers resident in Ireland who are British or Irish citizens and who are insured on the basis of being employed in the UK are eligible to access assisted reproduction services in the UK to the extent that such services are available to a local resident in the UK health commissioning area where they are employed and on the same basis as a local resident in that area. Should state-provided assisted reproduction services become available in Ireland at a future point in time, reciprocal arrangements will be made for eligible cross-border/frontier workers resident in the UK who are Irish insured on the basis of being employed in Ireland to access those services on the same basis as a local resident.

In the event that there is any reduction in the reciprocal healthcare coverage provided by the TCA, any relevant provisions of the CTA Healthcare MoU will apply, while a review of the CTA Healthcare MoU may also be appropriate so as to ensure that the overall objectives set out in its recitals continue to be met.

The United Kingdom of Great Britain and Northern Ireland remains committed to the enduring relationship between the UK and Ireland, which is represented in the CTA. I thank you, and your team, for your continued cooperation in the area of reciprocal healthcare and I stand ready and willing to continue our work together for the benefit of both the UK and Ireland.

Yours sincerely,



Clara Swinson,
Director General Global Health,
Department of Health and Social Care